

CHILE

a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Apr 53	Supreme Resolution No. 179	3nm	
	Oct 86	Law No. 18.565	12nm	Amendment to Civil Code.
II. ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Jul 77	Decree No. 416		Straight baselines claimed between 41° and 55° S. latitude. See LIS Nos. 80 and 80 Addendum.
III. CONTIGUOUS ZONE	1855	Civil Code, Art. 593	12nm	
	Oct 86	Law No. 18.565	24nm	
IV. CONTINENTAL SHELF	Jun 47	Presidential Declaration		Claimed sovereignty over resources of continental shelf at whatever depth.
	Apr 53	Supreme resolution No. 179	200nm	Claimed "exclusive sovereignty over the land and subsoil corresponding to it."
	Aug 75	Decree-Law No. 711		Governed research over shelf, seabed, and subsoil.
	Sep 85	Foreign Ministry Statement	350nm	Claimed continental shelves for Easter Island and Sala y Gomez Island, extending 350nm from their respective baselines.
				This continental shelf claim, in excess of 200nm, is not recognized by the U.S. U.S. protested claim in 1986.
V. FISHING ZONE/EEZ	Jun 47	Presidential Declaration		Claimed sovereignty over "patrimonial seas" for all resource purposes.
	Aug 75	Decree Law No. 711		Governed research involving waters or atmosphere within 200nm--protection and control zone for whaling and deep sea fishery.
	Oct 86	Law No. 18.565	200nm	EEZ.
	Sep 91	Fisheries Laws No. 19,079 and 19,080		<i>Mar presencial</i> concept introduced.
VII. MARITIME BOUNDARIES	Sept 54	Joint Declaration on the Maritime Zone		Maritime boundary with Peru EIF. See LIS No. 86.
	May 85	Agreement		Maritime boundary agreement with Argentina (Beagle Channel) EIF.
VIII. LOS CONVENTION	Dec 82			Signed.

b. DOMESTIC LEGISLATION AND REGULATIONS

1. STRAIGHT BASELINES

A. LEGISLATION.

The following base point coordinates are extracted from Decree No. 416 of the Government of Chile of 14 July 1977:

Point No. Feature Name	Latitude (South)	Longitude (West)
1 Punta Puga	41°28.6'	73°52.0'
2 Punta Guabun	41°48.7'	74°04.5'
3 Islote Corcovado	42°16.3'	74°12.7'
4 Cabo Quilan	43°16.5'	74°26.8'
5 Rocas Salientas Punta Weather (I. Guafo)	43°33.4'	74°50.5'
6 Islotes al Occ. de Isla Guafo	43°37.3'	74°52.2'
7 Cabo Lort (Isla Ipun)	44°33.1'	74°48.0'
8 Punta Norte (I. Guamblin)	44°46.6'	75°09.8'
9 Punta Searle (I. Guamblin)	44°49.0'	75°12.3'
10 Punta Borries (I. Guamblin)	44°55.3'	75°09.8'
11 Islote Occ. de I. Menchum	45°37.7'	74°56.8'
12 Isla Rees	46°36.8'	75°35.5'
13 Cabo Mifford	46°39.7'	75°36.5'
14 Islote de Punta Rees	46°45.1'	75°37.7'
15 Islote de Cabo Raper	46°49.0'	75°37.7'
16 Islote de Cabo Elena	46°54.1'	75°33.9'
17 Punta Occidental de Bahia Seal	46°58.2'	75°28.2'
18 Cabo Tres Montes	46°59.0'	75°25.4'
19 Islote al Occ. de Isla Medora	47°43.0'	75°24.7'
20 Roca Dundee	48°06.4'	75°42.0'
21 Isla Western	49°06.0'	75°44.7'
22 Grupo Vorposten	49°22.3'	75°41.4'
23 Islote Offshore	49°27.8'	75°40.4'
24 Islotes Rugga	50°06.0'	75°30.5'
25 Islote Rodado	50°21.7'	75°31.5'
26 Islote Redondo (Cabo West Cliff)	50°40.0'	75°31.2'
27 Rocas Scout	50°50.5'	75°28.8'
28 Isla Conica	51°10.7'	75°15.5'
29 Roca Santa Lucia	51°37.0'	75°21.0'
30 Roca Galicia	52°03.4'	75°09.0'
31 Islotes Evangelistas	52°23.6'	75°05.6'
32 Islote Cabo Parker	52°42.8'	74°11.2'
33 Isla Falgate	52°55.3'	73°49.9'
34 Cabo Providencia	53°00.5'	73°34.8'
35 Punta Havannah	53°09.8'	73°18.8'
36 Punta San Jeronimo	53°32.0'	72°23.3'
37 Punta Arauz	53°32.2'	72°21.4'
38 Punta Zegers	52°55.1'	70°17.7'
39 Punta Paulo	52°58.3'	70°19.3'
40 Cabo Monmouth	53°22.0'	70°26.6'
41 Cabo Valentin	53°34.5'	70°32.2'
42 Punta Norte Bahia Lomas	53°46.8'	70°42.3'
43 Punta Sur Bahia Lomas	53°49.7'	70°46.4'
44 Punta Zig - Zag	54°03.7'	70°52.8'
45 Islote Dos Hermanos	53°58.2'	71°24.0'
46 Islote Theo	53°50.8'	71°53.0'
47 Cabo Edgeworth	53°47.7'	72°08.6'
48 Extremo norte Peninsula Ulloa	53°31.6'	72°39.8'
49 Pta. Casper	53°18.8'	73°10.6'
50 Isla Pritchard	53°14.4'	73°18.8'

Point No. Feature Name	Latitude (South)	Longitude (West)
51 Cabo Monday	53°10.6'	73°23.9'
52 Isla Centinela	53°05.3'	73°35.2'
53 Islote Noreste Punta Felix	52°56.5'	74°07.1'
54 Cabo Pilar	52°43.6'	74°40.3'
55 Cabo Deseado	52°44.7'	74°43.0'
56 Roca 88	52°50.1'	74°44.0'
57 Cabo Inman	53°18.5'	74°19.2'
58 Cabo Gloucester (Isla Carlos)	54°04.0'	73°28.0'
59 Isla Tower	54°37.8'	73°05.0'
60 Punta English	54°43.5'	72°04.2'
61 Rocas Phillips	55°11.5'	70°58.6'
62 Isla Sea	55°13.7'	70°32.8'
63 Rocas Cabrestante	55°21.6'	70°10.7'
64 Isla Hope	55°29.0'	69°39.5'
65 Islas Ildefonso	55°44.7'	69°25.0'
66 Falso Cabo de Hornos 55°43.5'	68°03.7'	
67 Isla Hermite Punta S.W.	55°51.8'	67°51.0'
68 Cabo Spencer (Isla Hermite)	55°54.7'	67°37.5'
69 Cabo de Hornos	55°58.8'	67°16.0'
70 Rocas Deceit	55°56.5'	67°00.5'
71 Islas Barnevelt	55°49.5'	66°48.2'
72 Islas Evout	55°33.9'	66°46.5'
73 Punta Oriental (Isla Nueva)	55°13.0'	66°25.4'
74 Islote Chico (Isla Nueva)	55°11.4'	66°25.7'
75 Point XX, the eastern limit of the 1977 Arbitral Award	55°07.3'	66°25.0'

B. ANALYSIS

The following comments regarding the Chilean straight baseline system are extracted from Limits in the Seas, No. 80, "Straight Baselines: Chile," 15 November 1978:

The straight baseline system, as enumerated above, does not constitute a single, continuous system

From point 1, situated in the north at approximately latitude 41°28'S., one system extends southward to point 35 near the western exit of the Strait of Magellan. Segment 36-37 connects the Isla Riesco with the Brunswick Peninsula. The effect of these two segments, 1-35 and 36-37, is to enclose as internal waters of Chile the fjords, embayments, and channels between the islands and the mainland north of the Strait of Magellan.

A second major section of the straight baseline system connects the islands south of the Strait of Magellan with the Chilean mainland, comprised of the large island of Tierra del Fuego. (Sovereignty over Tierra del Fuego, of course, is divided between Chile and Argentina.) Segment 38-39 encloses the juridical bay of Gente Grande on the south shore of the Strait of Magellan. Segment 40-41 connects the western cape of Chilean Tierra del Fuego with Isla Dawson, while Segment 42-43 encloses a juridical bay on the island.

Segments 44-45, 45-46, and 46-47 follow the general direction of the southern shore of the Strait of Magellan connecting the major islands of Dawson, Aracena, Clarence, and Santa Ines.

The remainder of the straight baseline system, extending continuously from points 48 through 75, serves to enclose the islands south of the Strait of Magellan in the west and the Beagle Channel in the east. As noted in the list of coordinates, point 75 is the terminal point of the boundary determined by the Beagle Channel award. . . .

The southern portion of Chile, south of 41° S. latitude, has the classical geographic configuration required by international law for the development of a straight baseline system. The coastline is deeply indented with fjord-like embayments, and the mainland is virtually masked in its entirety by thousands of major and minor islands and rocks.

The system appears to include all Chilean coastal islands. Moreover, it has been deliberately constructed so as to exclude the Strait of Magellan from within the system of internal waters. The strait is the subject of an international treaty (July 23, 1881) which guarantees free navigation through its waters.

c. MARITIME BOUNDARIES

MARITIME BOUNDARY: CHILE-PERU

ANALYSIS

The following comments regarding an agreement between the governments of Chile, Ecuador and Peru, proclaimed on 18 August 1952, are extracted from Limits in the Seas, No. 86, "Maritime Boundary: Chile-Peru," 2 July 1979:

Although according to the 1952 declaration the maritime zone of each state is to be bounded by the specific parallel of latitude on which the seaward terminus of the land territory is situated, the agreed-upon parallel of latitude is actually located slightly to the north of the land boundary terminus.

The maritime boundary extends along the 18°23'03" parallel of South latitude, which coincides with the parallel of latitude on which the Peru-Chile land boundary marker No. 1 has been placed. Marker No. 1 lies a short distance to the northeast of the Chile-Peru coastal boundary point.

The seaward limit of the maritime boundary is not clearly defined in the declaration. On [the map attached to this LIS] the maritime boundary is depicted as extending 200 nm from each coast. Owing to coastal configurations, the Peruvian segment of the boundary extends farther seaward than the Chilean segment. Point C on the map is situated 200 nm from Chile (i.e., from the land boundary terminus that is the nearest point on the Chilean coast); however, this point is approximately 120 nm from the nearest point on Peru's coast. The point on this parallel of latitude 200 nm from Peru (i.e., from Pta. San Juan) is not reached until point P; this point is more than 360 nm from the land boundary terminus.

The maritime boundary traverses rather deep water; depths reach 2,500-3,000 fathoms (1500-1800 feet). Areas of less than 100 fathoms are virtually non-existent along this portion of the South American coast.